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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Dennis Tyson, individually and on behalf of others  
similarly situated,

Plaintiff,

-against-

Flextronic Inc.,

Defendant.

**Case No. 08 Civ. 4219 (WCC)**

**AFFIDAVIT OF STACEY GOODE IN  
SUPPORT OF DEFENDANT'S  
MOTION TO DISMISS PLAINTIFF'S  
FIRST CAUSE OF ACTION AS MOOT**

Stacey Goode, being duly sworn, deposes and says as follows:

1. I am a Human Resources Manager for Defendant Flextronics America, LLC. I submit this affidavit in support of Defendant's Motion to Dismiss Plaintiff's First Cause of Action as Moot.

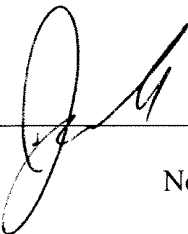
2. Attached hereto as Exhibit "A" is a true and correct copy of documents that Plaintiff Dennis Tyson presented to me on April 7, 2008. I have been the custodian of these records since April 7, 2008, having maintained them in the ordinary course of the Defendant's business.

3. Mr. Tyson alleges at paragraph 6 of his Complaint that he was employed by Flextronics for approximately 18 months at the time he filed this action. During the course of his short employment with Flextronics, our payroll records show that he regularly worked

overtime, and that he was regularly compensated for it, and that continues to be the case. Therefore, the overtime he claimed as part of his April 7, 2008 demand is on top of overtime which he has already claimed, and for which he has already been compensated.

  
Stacey Goode

Sworn before me this 2<sup>nd</sup> day of July 2008

  
Notary Public

JASON S. HANDWERGER  
Notary Public - New Jersey  
My Commission Expires May 14, 2009

## **Overtime**

Federal Law clearly states that overtime if work should be paid for at a rate of time and a half. As long as an employee works over 40 hours per workweek, over time must be paid. It would be difficult to calculate my over time on a daily basis. Most days I turn up to work 30minutes to 20minutes before my time and most night I would leave work about 30minutes after my schedule time to leave. Usually during opening or mid shifts I have stayed over up to 45minutes even 1hour at times. I will use 30minutes as an average for each day.

Hourly rate: \$12.01

Weekly hours: 40

Average overtime: 20minutes

$30\text{mins} \times 5 \text{ days} = 150/60\text{mins} = 2.5$

$2.5 \times \$18.00 \text{ (time and a half)} = \$45.00 \text{ each week}$

$\$45.00 \times 4 \text{ weeks} = \$180.00$

$\$180.00 \times 12 \text{ months} = \$2,160.00 + 180.00 \times 3 \text{ months} = \$540.00$

$\$2,160.00 + \$540.00 = \$2,700.00$

Total overtime: \$2,700.00